

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 926
INSURANCE DEPARTMENT CONSUMER COMPLAINTS

Section	
926.10	Authority (Repealed)
926.20	Purpose and Scope
926.30	Definitions
926.40	Complaint Handling Procedure
926.50	Maintenance of Complaint Records
926.60	Severability Provision (Repealed)
926.70	Effective Date (Repealed)

926.EXHIBIT A	Complaint Record
926.EXHIBIT B	Explanation

AUTHORITY: Implementing Sections 133, 149, 404(1)(a), 421, and 424 of the Illinois Insurance Code [215 ILCS 5] and authorized by Section 401 of the Illinois Insurance Code.

SOURCE: Filed December 2, 1976, effective January 1, 1977; codified at 7 Ill. Reg. 2361; amended at 23 Ill. Reg. 5695, effective May 3, 1999; amended at 43 Ill. Reg. 3246, effective February 25, 2019; amended at 47 Ill. Reg. _____, effective _____.

Section 926.20 Purpose and Scope

- a) The purpose of this Part is to establish guidelines for the handling of complaints received by the Department of Insurance against insurers, insurance producers or any other entity or individual licensed, registered, certified, or granted a Certificate of Authority as described in this Section. This Part also sets forth minimum complaint record keeping requirements.
- b) This Part applies to any insurance company licensed to do business in this State that is transacting the kind or kinds of business described as Class 1, Class 2, or Class 3 in Section 4 of the Code. This Part also applies to any entity or individual that the Director of Insurance licenses, registers or grants a Certificate of Authority under Chapter 215 of the Illinois Compiled Statutes, ~~and to any insurance producer licensed under Article XXXI of the Code.~~

(Source: Amended at 47 Ill. Reg. _____, effective _____)

Section 926.40 Complaint Handling Procedure

a) Notification and Response Requirements

When a complaint is received by the Department against an ~~insurer, insurance producer, or other~~ entity or individual identified in Section 926.20 (respondent), the respondent shall be notified of the complaint. The Department will, in its notification, specify the date when a report is to be received from the respondent, which, in most instances, will be 21 calendar days after notification is sent to the respondent.

b) Contents of Response or Report or Both

- 1) Each respondent shall supply adequate documentation that explains all actions taken or not taken and that were the basis for the complaint;
- 2) Documents necessary to support the respondent's position, or information requested by the Department, shall be furnished with the respondent's reply; and
- 3) The Department will respect the confidentiality of medical reports and other documents that, by law, are confidential. Any other information furnished by a respondent shall be marked "confidential" if the respondent does not wish it to be released to the complainant.

c) Follow-up or Conclusion

Upon receipt of the respondent's report, the Department will evaluate the material submitted and:

- 1) Advise the complainant of the action taken and disposition of the complaint;
- 2) Pursue further investigation with the respondent or complainant; or
- 3) Refer the complaint file to the appropriate Division within the Department for further regulatory action.

d) The Department deems complaint files to be confidential records and will not release them to persons other than the complainant and the respondent.

(Source: Amended at 47 Ill. Reg. _____, effective _____)